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UNITED NATIONS COMMISSION
ON INTERNATIONAL TRADE LAW
Working Group on International
Contract Practices
Tenth Session
Vienna, 1-12 December 1986

PROVISIONAL AGENDA

1. Election of officers
2. Adoption of the agenda
3. Formulation of uniform legal rules on the liability of operators of transport terminals
4. Other business
5. Adoption of the report

Notes on the provisional agenda

The Commission decided to include the topic of liability of operators of transport terminals in its programme of work at its sixteenth session (1983)
1/. At its seventeenth session (1984), the Commission assigned to its Working

1/ Report of the United Nations Commission on International Trade Law on the work of its sixteenth session, Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 17 (A/38/17), para. 115.

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Group on International Contract Practices the task of formulating uniform legal rules on that topic. It further decided that the mandate of the Working Group should be to base its work on document A/CN.9/252 and on the preliminary draft Convention on Operators of Transport Terminals which had been prepared by the International Institute for the Unification of Private Law (UNIDROIT), and the Explanatory Report thereto, and that the Working Group should also consider issues not dealt with in the UNIDROIT preliminary draft Convention, as well as any other issues which it considered to be relevant. 2/

The Working Group commenced its work on this topic at its eighth session, held at Vienna from 3 to 13 December 1984, by engaging in a comprehensive consideration of the issues arising in connection with the liability of operators of transport terminals. 3/ At its ninth session, held in New York from 6 to 17 January 1986, the Working Group engaged in an initial discussion of all of the draft articles of uniform legal rules on the liability of operators of transport terminals which had been prepared by the Secretariat (A/CN.9/WG.II/WP.56). It also prepared texts of draft articles 1, 2, 3 and 4, with accompanying notes, to serve as a basis for further consultations by delegations and for the future work of the Working Group. 4/ The Working Group has decided to settle the form which the uniform rules should take after it establishes the substance and content of the rules.

The Working Group consists of the following States: Algeria, Argentina, Australia, Austria, Brazil, Central African Republic, Chile, China, Cuba, Cyprus, Czechoslovakia, Egypt, France, German Democratic Republic, Hungary, India, Iraq, Iran (Islamic Republic of), Italy, Japan, Kenya, Lesotho, Libyan Arab Jamahiriya, Mexico, Netherlands, Nigeria, Sierra Leone, Singapore, Spain, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, and Yugoslavia.

Item 1. Election of officers

The Working Group, in accordance with normal practice, may wish to elect a Chairman and a Rapporteur.

Item 3. Formulation of uniform legal rules on the liability of operators of transport terminals

The Working Group will have before it a note by the Secretariat containing revised draft articles 5 to 15 and new draft articles 16 and 17 of uniform rules on the liability of operators of transport terminals (A/CN.9/WG.II/WP.58). The Working Group may wish to use that text as a basis

2/ Report of the United Nations Commission on International Trade Law on the work of its seventeenth session, Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 17 (A/39/17), para. 113.

3/ A/CN.9/260.

4/ A/CN.9/275.

for its further work on those articles of the uniform rules. It may then wish to return to a consideration of draft articles 1 to 4.

The following documents will be made available at the session:

(a) The report of the Secretary-General entitled "Co-ordination of work: some recent developments in the field of international transport of goods" (A/CN.9/236), which was submitted to the sixteenth session of the Commission;

(b) The report of the Secretary-General entitled "Liability of operators of transport terminals" (A/CN.9/252), which was submitted to the seventeenth session of the Commission (the text of the UNIDROIT preliminary draft Convention is set forth in annex II to that document);

(c) The notes by the Secretariat entitled "Liability of operators of transport terminals: issues for discussion by the Working Group" (A/CN.9/WG.II/WP.52 and Add.1) and "Liability of operators of transport terminals: additional issues for discussion by the Working Group" (A/CN.9/WG.II/WP.53), which were before the Working Group at its eighth session as Working Papers (the Explanatory Report to the UNIDROIT preliminary draft Convention is set forth in the annex to A/CN.9/WG.II/WP.52/Add.1);

(d) The report of the Working Group on the work of its eighth session (A/CN.9/260);

(e) The notes by the Secretariat entitled "Liability of operators of transport terminals: certain factual and legal aspects of operations performed by operators of transport terminals" (A/CN.9/WG.II/WP.55) and "Liability of operators of transport terminals: draft articles of uniform rules on the liability of operators of transport terminals and comments thereon" (A/CN.9/WG.II/WP.56), which were before the Working Group at its ninth session as Working Papers;

(f) The report of the Working Group on the work of its ninth session (A/CN.9/275).

Item 5. Adoption of the report

The Working Group may wish to adopt, at the close of its session, a progress report for submission to the twentieth session of the Commission (to be held from 20 July to 14 August 1987 at Vienna).

Meetings

The session of the Working Group will take place from 1 to 12 December 1986 at the Vienna International Centre. Meetings will be scheduled from 1 to 5 December, from 8 to 10 December and on 12 December 1986. Meeting hours will be from 9.30 to 12.30 and 14.00 to 17.00, except on Monday, 1 December, when the meeting will commence at 10.30.